

### **REMARKS/ARGUMENTS**

This Amendment is in response to the Office Action mailed July 3, 2007. Claims 45-59 were pending in the present application. This Amendment amends claims 45, 50, 54, 58, and 59, without canceling or adding any claims, leaving pending in the application claims 45-59. Reconsideration of the rejected claims is respectfully requested.

#### **I. Examiner Interview**

A telephone interview was conducted with Examiner Pond on October 9, 2007, at 11:00 am EST. The undersigned attorney represented the Applicants in the interview. In the interview, differences between the claimed invention and the cited art were discussed. Although no agreement was reached, the Examiner indicated that there appear to be differences between the invention and the cited art, and suggested that amending the claims to clarify these differences should be sufficient to overcome the rejections and trigger a new search. Applicants appreciate the Examiner's helpful suggestions, and have amended the claims in accordance with the Examiner's suggestions. Applicants thus believe that the claims as amended are allowable over the cited art.

#### **II. Rejection under 35 U.S.C. §102**

Claims 45-53, 58, and 59 are rejected under 35 U.S.C. §103(a) as being rendered obvious by *Chelliah* (US 5,710,887). Applicants respectfully submit that *Chelliah* does not disclose each element of these claims.

For example, Applicants' claim 45 as amended recites a method of providing marketing content to be displayed to a user viewing a page of information, comprising:

**associating a marketing object container with a portion of a page of information** to be displayed to the user, the marketing object container including information identifying a container capacity and at least one of a location and a size of the corresponding portion;

**associating a plurality of marketing objects with the marketing object container**, each of the marketing objects able to be inserted into the marketing object container and including marketing object information able to be displayed in the portion of the page;

**selecting a plurality of marketing attributes to be associated with the marketing object container**, the marketing attributes including at least one of timing and priority information for use in determining which of the plurality of marketing objects to be displayed to the user;

receiving a request from the user to display the page of information;  
in response to the request, **analyzing the plurality of marketing attributes and the plurality of marketing objects in order to select the marketing objects to be displayed in the corresponding portion of the page of information**, the selected marketing objects having object attributes matching at least some of the marketing attributes; and  
in response to selecting the marketing objects to be displayed, **dynamically generating a display for a user, in the portion of the page corresponding to the marketing object container, including marketing object information for a number of the selected marketing objects up to the container capacity of the marketing object container**,  
wherein the steps of associating the plurality of marketing objects with the marketing object container and selecting the plurality of marketing attributes to be associated with the marketing object container are able to be performed by an entity other than the provider of the page of information

(emphasis added). Such limitations are neither taught nor suggested by *Chelliah*.

*Chelliah* teaches a system for facilitating commercial transactions using a set of program objects such as a customer monitoring object and a participant program object (col. 3, line 5-col. 5, line 3; col. 9, lines 27-38). Fig. 2 shows a number of program objects, including a participant program object to represent a customer in the commerce system, and a customer monitoring object or sales representative object to communicate with the participant program object to execute the transaction (col. 9, line 49-col. 10, line 43).

Applicants' claim 45 as amended recites associating a plurality of marketing objects and a plurality of marketing attributes with a marketing object container associated with a portion of a page to be displayed to a user. Also as recited, a display is dynamically generated in response to a user request by analyzing the objects and attributes for the container at substantially the time of the request, determining which marketing objects should be displayed at that time, and then generating the display for the user. This is advantageous in part because the portion of the page can be dynamically generated at the time of the request without having to alter or regenerate the entire page. Also as recited, the association of the objects and attributes with the container is able to be done by a third party other than the parties providing and viewing the page. This is advantageous in part because a marketing company, for example, can select and change over time which objects should be displayed to a user at any particular time, without requiring access or the ability to change anything about the page into which the objects are to be displayed. For example, a company selling a line of products might wish to suggest different products to users according to different campaigns, and may display these advertisements through a Web site of

another party. By having the ability to alter the marketing objects and attributes associated with the container, the company can effectively control what is displayed in that portion of the Web site without otherwise having any control over that site.

*Chelliah* does not teach or suggest such use of containers and attributes, particularly where a separate party can control what is displayed on a page by controlling the objects and attributes associated with a container for that page. As recognized to some extent in the Office Action on page 5, *Chelliah* does not even teach or suggest containers, container attributes, and container associations, but simply recites collections of objects. Even if for sake of argument it would have been obvious to utilize a container to contain those objects, there is no teaching, suggestion, or motivation in *Chelliah* to dynamically generate a page in response to a user request by analyzing objects and attributes associated with a container for that page, selecting objects to be displayed based on the analysis, and then generating the display in response to the request, particularly where a third party is selecting the objects and attributes. There would be no apparent advantage, for example, to selecting program or participant objects in *Chelliah* by analyzing container attributes, and such selection still would not result in the dynamic generation of a portion of a page of information in response thereto.

As *Chelliah* does not teach or suggest all elements of Applicants' claim 45 as amended, and as such limitations would not otherwise be obvious in light of *Chelliah*, *Chelliah* cannot render obvious Applicants' claim 45 or the claims that depend therefrom. Claims 50, 54, 58, and 59 recite limitations that similarly are not rendered obvious by *Chelliah* for reasons including those set forth above, such that *Chelliah* cannot render obvious Applicants' claims 50, 54, 58, or 59, or the claims that depend therefrom. Applicants therefore respectfully request that the rejections with respect to claims 45-53, 58, and 59 be withdrawn.

Claims 54-57 are rejected under 35 U.S.C. §103(a) as being obvious over *Chelliah* in view of *Knowlton* (US 6,061,057). These claims are not rendered obvious by *Chelliah* as discussed above. *Knowlton* does not make up for the deficiencies in *Chelliah* with respect to these claims. *Knowlton* teaches the use of visual link objects to facilitate the execution of transactions and the transfer of information across networks (col. 3, lines 28-52), and is cited as

teaching use of these visual link objects for "marketing products online for sale" (OA p. 8). *Knowlton* does not, however, teach or suggest associating a plurality of marketing objects and a plurality of marketing attributes with a marketing object container associated with a portion of a page to be displayed to a user and, in response to a user request, dynamically generating a display by analyzing the objects and attributes at substantially the time of the request, determining which marketing objects should be displayed at that time, and then generating the display for the user. Even if, for sake of argument, the visual link objects of *Knowlton* were combined with the teachings of *Chelliah*, for which there is no suggestion or motivation, the combination still would only result in collections of objects and would not arrive at a dynamic selection of objects at substantially a time of a request by analyzing attributes for a container, and then generating a display in response thereto. As *Knowlton* fails to teach or suggest such these limitations, *Knowlton* cannot render obvious Applicants' claim 54 or the claims that depend therefrom, either alone or in combination with *Chelliah*. Applicants therefore respectfully request that the rejection with respect to claims 54-57 be withdrawn.

### **III. Amendment to the Claims**

Unless otherwise specified, amendments to the claims are made for purposes of clarity, and are not intended to alter the scope of the claims or limit any equivalents thereof. The amendments are supported by the specification and do not add new matter.

**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,



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